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Attorneys for Defendant:
DESERT VALLEY HOSPITAL, LLC
dba DESERT VALLEY HOSPITAL

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

| | | |
|------------------------------|---|------------------------------------|
| COLLEEN MANGHANE; and |) | Case No.: 5:25-cv-01107 JGB (DTBx) |
| ROBERT MANGHANE, |) | |
| |) | Related Case No.: 5:25-cv-00140- |
| |) | WLH-SHK |
| Plaintiffs, |) | |
| |) | [PROPOSED] ORDER REGARDING |
| vs. |) | STIPULATION TO WITHDRAW |
| |) | MOTION TO DISMISS PLAINTIFFS' |
| COUNTY OF SAN BERNARDINO; |) | COMPLAINT BY DEFENDANT |
| SHANNON D. DICUS; DESERT |) | DESERT VALLEY HOSPITAL, LLC |
| VALLEY HOSPITAL; and DOES 1- |) | dba DESERT VALLEY HOSPITAL |
| 15, inclusive. |) | AND EXTEND TIME TO RESPOND |
| |) | BY THIRTY DAYS |
| Defendants. |) | |
| |) | |
| |) | JUDGE: Hon. Jesus G. Bernal |
| |) | |
| |) | Complaint filed May 29, 2025 |
| |) | |
| |) | Trial scheduled: None |
| |) | |

Having reviewed and duly considered the STIPULATION TO
WITHDRAW MOTION TO DISMISS PLAINTIFFS' COMPLAINT BY

[PROPOSED] ORDER REGARDING STIPULATION TO WITHDRAW
MOTION TO DISMISS PLAINTIFFS' COMPLAINT BY DEFENDANT
DESERT VALLEY HOSPITAL, LLC dba DESERT VALLEY HOSPITAL AND
EXTEND TIME TO RESPOND BY THIRTY DAYS

1 DEFENDANT DESERT VALLEY HOSPITAL, LLC dba DESERT VALLEY
2 HOSPITAL AND EXTEND TIME TO RESPOND BY THIRTY DAYS, attached
3 hereto as **Exhibit 1**, the Court finds good cause to order, and hereby does order,
4 that the parties comply with the terms of the Stipulation.

5 **IT IS SO ORDERED.**

6
7 Dated: _____, 2025 By: _____
8 Hon. Jesus G. Bernal
9 Judge of the Central District of
10 California
11 United States District Court
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Exhibit 1

Alexander F. Giovanniello (CSB # 125562)
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Attorneys for Defendant:
DESERT VALLEY HOSPITAL, LLC
dba DESERT VALLEY HOSPITAL

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

COLLEEN MANGHANE; and
ROBERT MANGHANE,

Plaintiffs,

vs.

COUNTY OF SAN BERNARDINO;
SHANNON D. DICUS; DESERT
VALLEY HOSPITAL; and DOES 1-
15, inclusive.

Defendants.

) Case No.: 5:25-cv-01107 JGB (DTBx)

)
) Related Case No.: 5:25-cv-00140-
) WLH-SHK

)
) STIPULATION TO WITHDRAW
) MOTION TO DISMISS PLAINTIFFS'
) COMPLAINT BY DEFENDANT
) DESERT VALLEY HOSPITAL, LLC
) dba DESERT VALLEY HOSPITAL
) AND EXTEND TIME TO RESPOND
) BY THIRTY DAYS

)
) JUDGE: Hon. Jesus G. Bernal

)
) Complaint filed May 29, 2025

)
) Trial scheduled: None
)

Plaintiffs AARON JAMES (hereinafter referred to as "Decedent"), by and
through his successors-in-interest, Colleen Manghane and Robert Manghane;

STIPULATION TO WITHDRAW MOTION TO DISMISS PLAINTIFFS'
COMPLAINT BY DEFENDANT DESERT VALLEY HOSPITAL, LLC dba
DESERT VALLEY HOSPITAL AND EXTEND TIME TO RESPOND BY
THIRTY DAYS

1 COLLEEN MANGHANE; and ROBERT MANGHANE (hereinafter collectively
2 referred to as “the Manghane Plaintiffs”); and Defendant DESERT VALLEY
3 HOSPITAL, LLC dba DESERT VALLEY HOSPITAL (hereinafter referred to as
4 “Desert Valley Hospital”), through their respective counsel of record, voluntarily
5 and with full knowledge and understanding of the provisions stated herein, agree
6 to the following:

7 WHEREAS, the Manghane Plaintiffs filed and served their Complaint on
8 May 29, 2025, upon Desert Valley Hospital;

9 WHEREAS, as part of the meet and confer discussions regarding
10 responsive pleading and/or motions to dismiss, the Manghane Plaintiffs and
11 Desert Valley Hospital discussed and proposed the consolidation of these related
12 cases;

13 WHEREAS, the Manghane Plaintiffs and Desert Valley Hospital acquired
14 an extension of time for Desert Valley Hospital to file its response to the
15 Complaint, making such response due on or before July 18, 2025, so Desert
16 Valley Hospital filed and served its Motion to Dismiss on that date; and

17 WHEREAS, the Manghane Plaintiffs and Desert Valley Hospital
18 demonstrated a desire to further meet and confer on the issues referenced in the
19 Motion to Dismiss, which included (1) withdrawing the Motion to Dismiss, so
20 issues therein can be remedied regarding notice and exhibits, and (2) allowing
21 Plaintiffs to amend the Complaint, if such is deemed necessary; and

22 WHEREAS, Desert Valley Hospital filed a Stipulation to Consolidate
23 Cases, for the related action styled as ARTHUR JAMES, and STACEY M.

1 ABBOT as parents of, and successors in interest to, AARON JAMES, decedent;
2 Plaintiffs, vs. COUNTY OF SAN BERNARDINO, a municipal entity; Sheriff
3 SHANNON D. DICUS, in his individual, and official capacities; DESERT
4 VALLEY HOSPITAL, LLC, a Delaware Limited Liability Company; DOES 1-
5 20, inclusive. Defendants., Case No. 5:25-cv-00140-WLH-SHK.

6 WHEREFORE, THE PARTIES STIPULATE TO THE FOLLOWING:

- 7 1. Desert Valley Hospital's Motion to Dismiss shall be withdrawn;
- 8 2. The Manghane Plaintiffs and Desert Valley Hospital are to further
9 meet and confer regarding the issues presented in Desert Valley Hospital's Motion
10 to Dismiss, in accordance with Local Rule 7-3 of the Local Rules of Civil
11 Procedure for the District of Central California of the United States District Court;
- 12 3. Desert Valley Hospital's response to the Manghane Plaintiffs'
13 Complaint shall now be due on or before August 22, 2025; and
- 14 4. The Manghane Plaintiffs have the right to amend their pleadings on
15 or before August 22, 2025.

16 **IT IS SO STIPULATED.**

17 Dated: July 28, 2025

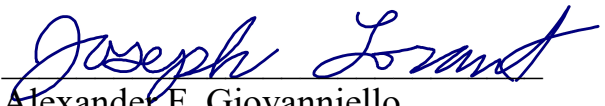
LAW OFFICES OF DALE K. GALIPO

18 By: /s/ Marcel F. Sincich

19 Dale K. Galipo
20 Marcel F. Sincich
21 Attorneys for Plaintiffs
22 AARON JAMES, by and through his
23 successors-in-interest, Colleen Manghane
and Robert Manghane; COLLEEN
MANGHANE; and ROBERT
MANGHANE

1 Dated: July 28, 2025

GIOVANNIELLO LAW GROUP

2
3 By: 
4 Alexander F. Giovanniello
5 Joseph M. Lorant
6 Attorneys for Defendant
7 DESERT VALLEY HOSPITAL, LLC dba
8 DESERT VALLEY HOSPITAL
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Outlook

Re: Desert Valley MTD

From Marcel Sincich <msincich@galipolaw.com>

Date Fri 7/25/2025 3:45 PM

To Joseph M. Lorant <jml@giolawgroup.com>

Cc Alejandro Monguia <amonguia@galipolaw.com>; Kristy K. Shimotani <kks@giolawgroup.com>

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|---|
| EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe. |
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Hi Joseph,

Thank you for getting back to me. I didn't see any red text, however it is agreeable with just a couple minor edits. Please add to No. "Manghane" Plaintiffs (just so that the court is clear on which plaintiffs it is referring to) and add "on or before August 22, 2025" to the end of No. 4.

With those, you may file with my e-signature. Thank you and have a nice weekend.

Very Respectfully,

Marcel F. Sincich, Esq.

Law Offices of Dale K. Galipo | 21800 Burbank Blvd., Suite 310, Woodland Hills, CA 91367 | Office: +1.818.347.3333 | Fax: +1.818.347.4118 | Email: msincich@galipolaw.com

THIS EMAIL MESSAGE IS FOR THE SOLE USE OF THE INTENDED RECIPIENT AND MAY CONTAIN CONFIDENTIAL, AND PRIVILEGED INFORMATION. ANY UNAUTHORIZED REVIEW, USE, DISCLOSURE OR DISTRIBUTION IS PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE CONTACT THE SENDER BY REPLY EMAIL AND DESTROY ALL COPIES OF THE ORIGINAL MESSAGE.

From: Joseph M. Lorant <jml@giolawgroup.com>

Sent: Friday, July 25, 2025 15:24

To: Marcel Sincich <msincich@galipolaw.com>

Cc: Alejandro Monguia <amonguia@galipolaw.com>; Kristy K. Shimotani <kks@giolawgroup.com>

Subject: RE: Desert Valley MTD

Please see attached our approved version in word and pdf of the proposed order and stipulation to withdraw.

Let me know if you have any questions or revisions in red text. If not, we can affix your e-signature and file today.

Joseph M. Lorant

PROOF OF SERVICE

I am employed in the county of Orange, State of California. I am over the age of eighteen and not a party to the within entitled action; my business address is Six Pointe Drive, Suite 520 Brea, California 92821.

On **July 28, 2025**, I served the foregoing document(s) described as, STIPULATION TO WITHDRAW MOTION TO DISMISS PLAINTIFFS' COMPLAINT BY DEFENDANT DESERT VALLEY HOSPITAL, LLC dba DESERT VALLEY HOSPITAL AND EXTEND TIME TO RESPOND BY THIRTY DAYS as follows:

See below service list

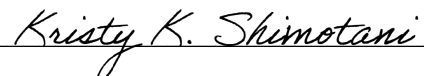
() BY U.S. MAIL: I am "readily familiar" with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice the envelope was sealed and placed for collection and mailing with the United States Postal Service on that same day with postage thereon fully prepaid at Brea, California following ordinary business practices.

() BY FEDERAL EXPRESS OVERNIGHT: I placed said envelope(s) for collection and overnight delivery at a regularly utilized drop box of the overnight delivery carrier.

(XX) BY ELECTRONIC SERVICE: I caused the document(s) to be sent from kks@giolawgroup.com to the person(s) at the electronic notification addresses indicated on the service list.

Executed on **July 28, 2025**, at Brea, California.

(XX) STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Kristy K. Shimotani

1 SERVICE LIST

2

3 Dale K. Galipo

Counsel for Plaintiffs

4 Marcel F. Sincich

5 Alejandro Monguia, Legal Assistant

6 Stefany Anderson, Legal Assistant

7 LAW OFFICES OF DALE K. GALIPO

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17 Edward Southcott, Jr.

Counsel for Defendant, County of San

18 Shannon Gustafson

Bernardino and Shannon D Dicus, Sheriff

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